

BRUCE LOCKE (#177787)
Moss & Locke
555 University Avenue, Suite 170
Sacramento, CA 95825
(916) 569-0667
(916) 569-0665 fax
Attorneys for
JESUS RODRIGUEZ

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. 2:04-cr-0387- MCE
)	
Plaintiff,)	
)	STIPULATION TO EXCLUDE TIME
v.)	UNDER SPEEDY TRIAL ACT
)	
JESUS RODRIGUEZ,)	
)	
Defendant.)	

Counsel for the defendant has decided not to file any motions in this case. The defendant does, however, need the time between December 13, 2006 to the date that the case is scheduled for trial to prepare for trial, and, therefore

IT IS HEREBY STIPULATED AND AGREED between the defendant, Jesus Rodriguez, and the United States of America, through defense counsel Bruce Locke and Assistant U.S. Attorney Phillip Talbert that time under the Speedy Trial Act should be excluded from December 13, 2006 through March 7, 2007, the date set for the trial in this case.

The defense requests the Court to exclude time under the Speedy Trial Act from December 13, 2006 through March 7, 2007 to allow for defense preparation. This is a complicated case due to the government's use of two confidential informants and there were several telephone conversations that were conducted in Spanish between the defendant and the two informants that must be analyzed prior to trial and because the ends of justice outweigh the interest of the public and the defendant in a speedy trial.

Accordingly, the parties jointly request that the time period from December 13, 2006, to and including March 7, 2007 be excluded under the Speedy Trial Act pursuant to 18 U.S.C. §3161(h)(8)(B)(iv) and Local Code T4 for defense preparation and based on a finding by the Court that the ends of justice served by granting a continuance outweigh the best interest of the public and defendant in a speedy trial. Mr. Talbert has authorized Mr. Locke to sign his name to this Stipulation and Order.

DATED: December 14, 2006

/S/ - L. Bruce Locke
BRUCE LOCKE
Attorney for Mr. Jesus Rodriguez

DATED: December 14, 2006

/S/ - L. Bruce Locke
for PHILLIP TALBERT
Assistant U.S. Attorney

FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

The hearing date of January 23, 2007 is vacated.

DATED: December 19, 2006



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE